

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

DUSTIN J. JOHNSON,

Petitioner,

ORDER

v.

3:07-cv-00674-bbc

PETER HUIBREGTSE, Warden,
Wisconsin Secure Program Facility,

Respondent.

This is a writ of habeas corpus brought pursuant to 28 U.S.C. § 2254. Before the court is the motion of petitioner Dustin Johnson for an order staying his case and placing it in abeyance so that he may return to state court and exhaust certain claims. Rhines v. Weber, 544 U.S. 269, 275 (2005). Before ruling on the motion, it would be helpful to hear from respondent. Accordingly, respondent is ordered to submit a response to the motion and petitioner's supporting memorandum no later than February 28, 2008.

Entered this 7th day of February, 2008.

BY THE COURT:



STEPHEN L. CROCKER
Magistrate Judge

Copy of this document has been
provided to the
this 8th day of Feb 2008
by C. A. Korte, Secretary to
Magistrate Judge Crocker